

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:21-cv-00068-MR**

JONATHAN ANTHONY LEE TORRES,)

Plaintiff,)

vs.)

TODD ISHEE, et al.,)

Defendants.)

ORDER

THIS MATTER is before the Court sua sponte.

The pro se Plaintiff filed this civil rights action addressing incidents that allegedly occurred while he was incarcerated at the Marion Correctional Institution. [Doc. 1]. The Plaintiff is no longer incarcerated. [See Doc. 130]. The Second Amended Complaint passed initial review on several claims. [See Docs. 25, 27]. On October 7, 2024, the Defendants were granted summary judgment on all claims except for the Plaintiff's claims for excessive force and retaliation against Defendants Nathan Ingram and Benjamin Coffey arising from events that allegedly occurred on April 11, 2021. [Doc. 134]. The parties were ordered to notify the Court, within 14 days, whether they object to a judicial settlement conference in this matter. [Id. at 30]. Defendants Ingram and Coffey have filed a Response stating that they do

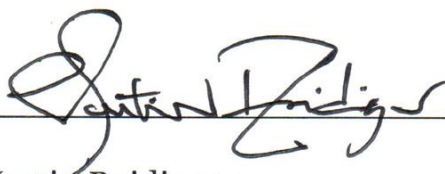
not object to a judicial settlement conference. [Doc. 135]. The Plaintiff has not responded, and the time to do so has expired.

It appears that the Plaintiff may have abandoned this action. The Plaintiff shall, within **ten (10) days** of this Order, inform the Court whether he objects to a judicial settlement conference in this matter. Failure to comply with this Order will result in dismissal of this action without prejudice and this case's closure without further notice.

IT IS, THEREFORE, ORDERED that the Plaintiff **shall have ten (10) days from the date of this Order** in which to inform the Court whether he objects to a judicial settlement conference in this matter. If the Plaintiff fails to comply, this case will be dismissed without prejudice and closed without further notice.

IT IS SO ORDERED.

Signed: November 15, 2024



Martin Reidinger
Chief United States District Judge

